



PTO/SB/30 (05-03)

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RCE  
1700

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
 Mail Stop RCE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

<i>Application Number</i>	09/626,684
<i>Filing Date</i>	July 27, 2000
<i>First Named Inventor</i>	Thomas J. Nachtman
<i>Art Unit</i>	1711 ✓
<i>Examiner Name</i>	John M. Cooney
<i>Attorney Docket Number</i>	1-22612

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114		Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such	
<p>a. <input type="checkbox"/> Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.</p> <p>i. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____</p> <p>ii. <input type="checkbox"/> Other _____</p>			
<p>b. <input checked="" type="checkbox"/> Enclosed</p> <p>i. <input checked="" type="checkbox"/> Amendment/Reply      iii. <input type="checkbox"/> Information Disclosure Statement (IDS)</p> <p>ii. <input type="checkbox"/> Affidavit(s)/Declaration(s)      iv. <input checked="" type="checkbox"/> Other <u>Amendment Transmittal (Small Entity)</u> _____</p>			
2. Miscellaneous			
<p>a. <input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)</p> <p>b. <input type="checkbox"/> Other _____</p>			
3. Fees			
<p>The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.</p> <p>a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. <u>13-0005 - \$430.00</u></p> <p>i. <input checked="" type="checkbox"/> RCE fee required under 37 CFR 1.17(e)      ii. <input type="checkbox"/> 08/29/2003 MBERHE 00000002 130005 09626684</p> <p>ii. <input checked="" type="checkbox"/> Extension of time fee (37 CFR 1.136 and 1.17)      iii. <input type="checkbox"/> 01 FC:2801 375.00 DA</p> <p>iii. <input type="checkbox"/> Other _____</p>			
<p>b. <input type="checkbox"/> Check in the amount of \$ _____ enclosed</p> <p>c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)</p> <p><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b></p>			

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print / Type)	Gary M. Sutter	Registration No. (Attorney / Agent)	31,574
Signature	<u>Gary M. Sutter</u>	Date	August 25, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Wanda J. Lawrence	Date	August 25, 2003
Signature	<u>Wanda J. Lawrence</u>	Date	August 25, 2003

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

## AMENDMENT TRANSMITTAL LETTER (Small Entity)

Docket No.

1-22612

Applicant(s): Thomas J. Nachtman et al.

Serial No.  
09/626,684Filing Date  
July 27, 2000Examiner  
John M. CooneyGroup Art Unit  
1711

Invention: SPRAYABLE COMPOSITION AND METHOD FOR FORMING

A FOAMED OUTDOOR PROTECTIVE COVER LAYER

AUG 28 2003

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

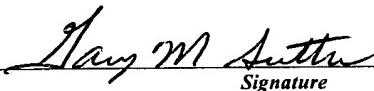
- Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

## CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	4 -	20 =	0	x \$9.00	\$0.00
INDEP. CLAIMS	1 -	3 =	0	x \$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- No additional fee is required for amendment.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-0005
- Any additional filing fees required under 37 C.F.R. 1.16.
- Any patent application processing fees under 37 CFR 1.17.


  
Signature

Dated: August 25, 2003

Gary M. Sutter - Reg. No. 31,574  
 MacMillan, Sobanski & Todd, LLC  
 One Maritime Plaza, Fourth Floor  
 720 Water Street  
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I certify that this document and fee is being deposited on Aug. 25, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


  
Signature of Person Mailing Correspondence

Wanda J. Lawrence

Typed or Printed Name of Person Mailing Correspondence

CC:



CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date set forth below.

Shanda J. Lawrence  
(signature)

Date of signature and deposit - 08-25-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
THOMAS J. NACHTMAN et al. ) Group Art Unit 1711  
)  
Serial No. 09/626,684 )  
) Examiner John M. Cooney  
Filed: July 27, 2000 )  
)  
For: SPRAYABLE COMPOSITION ) Attorney Docket 1-22612  
AND METHOD FOR FORMING )  
A FOAMED OUTDOOR )  
PROTECTIVE COVER LAYER )

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT

Honorable Sir:

Please amend the above-identified application as indicated on the following pages.

Respectfully submitted,

Gary M. Sutter  
Gary M. Sutter  
Reg. No. 31,574

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